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7 *Attorneys for United States of America*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 JOSHUA WASHINGTON,

14 Defendant.

2:16-CR-279-JAD-PAL

STIPULATION TO RESET
DATE FOR GOVERNMENT RESPONSE
(First Request (modified))

15 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting
16 United States Attorney, and Robert Knief, Assistant United States Attorney, counsel for the United
17 States of America, and Rebecca Levy, counsel for Defendant Joshua Washington, that the deadline
18 for the government response to defendant's Motion to Suppress Evidence (ECF #54), be reset for
19 August 22, 2017, or a date thereabouts convenient for the Court.

20 This stipulation is entered into for the following reasons:

21 1. Government counsel completed a scheduled which began on July 24, 2017, and is
22 scheduled to begin a second trial on August 7, 2017, and requires additional to fully respond to
23 defendant's motion.

24 2. On July 26, 2017, the District Court granted a stipulated continuance request of the

1 trial date to September 26, 2017 with a calendar call on September 18, 2017.

2 3. Defendant is in custody and does not object to the continuance.

3 4. For the reasons stated above, the ends of justice would best be served by a continuance of
4 the government deadline.

5 5. Additionally, denial of this request for continuance could result in a miscarriage of
6 justice.

7 6. Waiver of Speedy trial is not required as the District Court grant a stipulated
8 continuance of the trial until after the requested government response date.

9 7. This is the first request for a continuance filed herein.

10 DATED this 27th day of July, 2017.

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12 STEVEN W. MYHRE
13 Acting United States Attorney

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15 /s/ Rebecca Levy
REBECCA LEVY
16 Counsel for Defendant

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18 /s/ Robert Knief
ROBERT KNIEF
19 Assistant United States Attorney
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1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

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3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

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7 Defendant.

2:16-CR-279-JAD-PAL

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER

8 **FINDINGS OF FACT**

9 Based upon the pending Stipulation of counsel, and good cause appearing therefore, the
10 Court finds that:

11 1. Government counsel completed a scheduled which began on July 24, 2017 and is
12 scheduled to begin a second trial on August 7, 2017, and requires additional to fully respond to
13 defendant's motion.

14 2. On July 26, 2017, the District Court granted a stipulated continuance request of the
15 trial date to September 26, 2017 with a calendar call on September 18, 2017.

16 3. The Defendant is in custody and does not object to the continuance.

17 4. For the reasons stated above, the ends of justice would best be served by a continuance of
18 the government deadline.

19 5. Additionally, denial of this request for continuance could result in a miscarriage of
20 justice.

21 **CONCLUSIONS OF LAW**


22 The ends of justice served by granting said continuance outweigh the best interest of the
23 public and the Defendant in a speedy trial, since the failure to grant said continuance would be likely
24 to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity

1 within which to be able to effectively and thoroughly negotiate the case and prepare for trial, taking
2 into account the exercise of due diligence.

3 **ORDER**

4 IT IS THEREFORE ORDERED that the government's response to Defendant's Motion to
5 Suppress (ECF #54), is due on the 22 day of August, 2017.

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7 DATED this 31st day of July, 2017.

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10 HONORABLE PEGGY A. LEEN
11 UNITED STATES MAGISTRATE JUDGE
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